

Exhibit 2



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

FAX Cover Sheet

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To:	Mr. Jeff Edwards and Mr. Sean Flammer
Date:	7/22/2014
FAX Number:	512-623-7729
From:	Cynthia Burton
No. of pages (including cover):	[No. of Pages (incl. cover): 2]

Comments: Please see attached correspondence.

Thank you.

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ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 22, 2014

Mr. Jeff Edwards
Mr. Sean Flammer
Edwards Law
1101 East 11th Street
Austin, TX 78702
Via Fax and Regular Mail
(512)623-7729

Re: *Caddell v. Livingston, et al.*, Case no. 3:14-cv-2249; USDC- Northern District, Dallas Division

Dear Mr. Edwards and Mr. Flammer:

This letter is in response to your three letters dated July 18, 2014 (one of which was faxed on July 21, 2014 and two of which you sent by e-mail as an attachment on July 18, 2014).

With regard to your demand that we withdraw Defendants' Motion to Dismiss for Failure to Exhaust because it is frivolous, we do not agree that the motion is frivolous. Mr. Caddell had adequate time to file a grievance before he was discharged from TDCJ and should be required to do so.

With regard to your request for a Rule 26 conference to follow the one we have scheduled for *Bailey*, our scheduling order proposal is due August 20, 2014 and the Rule 26(f) is due 7 days before Aug. 20th. In light of the pending Motion to Dismiss and pending MDL, a Rule 26 conference before the date set by the Court is premature. We, therefore, will need to choose a separate date for *Caddell*.

On the Motion for Multi-District Litigation Plan, we agree that the *Caddell* case may be included and will take steps to include this case.

If you have any other questions or comments, please do not hesitate to call or write.

Sincerely,

Cynthia Burton
Cynthia Burton
Assistant Attorney General
Law Enforcement Defense Division
Office of the Attorney General of Texas

cc: Cynthia Milne, Office of General Counsel for TDCJ
Bruce Garcia, Assistant Attorney General